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j1033 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

349

Total Pages in this Submission

46

JC92377178602

TO THE ASSISTANT COMMISSIONER FOR PATENTSBox Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

POWER BALANCED OPTICAL ADD MULTIPLEXER AND POWER BALANCING METHODS THEREFORE

and invented by:

JAMES E. DeGRANGE AND SRIDHAR BALAKRISHNANIf a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below

2. Specification having 27 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Microfiche Appendix (*if applicable*)
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if drawings filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

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Application Elements (Continued)

3. Drawing(s) (*when necessary as prescribed by 35 USC 113*)
 - a. Formal Number of Sheets 11
 - b. Informal Number of Sheets _____
4. Oath or Declaration
 - a. Newly executed (*original or copy*) Unexecuted
 - b. Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
 - c. With Power of Attorney Without Power of Attorney
 - d. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. Incorporation By Reference (*usable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. Computer Program in Microfiche (*Appendix*)
7. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)
 - a. Paper Copy
 - b. Computer Readable Copy (*identical to computer copy*)
 - c. Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. Assignment Papers (*cover sheet & document(s)*)
9. 37 CFR 3.73(B) Statement (*when there is an assignee*)
10. English Translation Document (*if applicable*)
11. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
12. Preliminary Amendment
13. Acknowledgment postcard
14. Certificate of Mailing

First Class Express Mail (*Specify Label No.:* EL589573584US)

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Docket No.

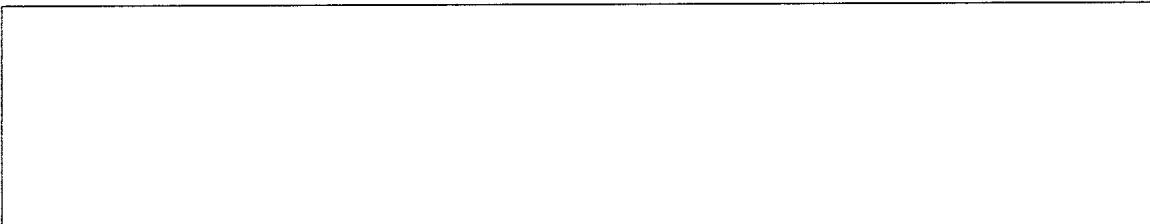
349

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Accompanying Application Parts (Continued)

15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Additional Enclosures *(please identify below):*



Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	23	- 20 =	3	x \$18.00	\$54.00
Indep. Claims	2	- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable)					\$0.00
				BASIC FEE	\$710.00
OTHER FEE (specify purpose)					\$0.00
				TOTAL FILING FEE	\$764.00

A check in the amount of to cover the filing fee is enclosed.

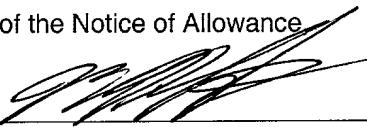
The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0308
 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \$764.00 as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance
 pursuant to 37 C.F.R. 1.311(b).



Signature

Dated: February 6, 2001

Michael R. Cammarata, Reg. No. 39,491

cc:

February 6, 2001

ATTORNEY DOCKET NO. 349

**Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231**

Re: New U.S. Patent Application
Title: Power Balanced Optical Add Multiplexer and
Power Balancing Methods Therefore
Inventor: James E. DeGrange, Jr. and Sridhar Balakrishnan

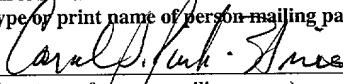
Sir/Madam:

The following papers for filing in the United States Patent and Trademark Office in connection with the above patent application are enclosed.

1. Utility Patent Application Transmittal.
2. Application - 28 pages, including title page, 2 independent claims and 23 claims total.
3. Drawings - 11 sheets of formal drawings.
4. Declaration and Power of Attorney.
5. Recordation Form Cover Sheet (in duplicate) and Assignment to CIENA Corporation.
6. Authorization to Charge \$764.00 to Deposit Account.

Certification Under 37 C.F.R. Section 1.10

I hereby certify that this New Application Transmittal Letter and the documents referred to as being enclosed therein are being deposited with the United States Postal Service on this 6th day of February, 2001 in an envelope marked as "Express Mail Post Office to Addressee" Mail Label Number EL589573584US addressed to Box Patent Application, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

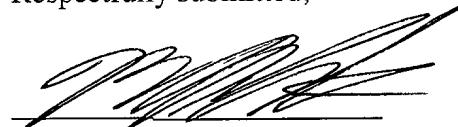
Carol S. Parker-Hines
(type or print name of person mailing paper)

(signature of person mailing paper)

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. Section 1.16 and Section 1.17, at any time during the pendency of this application, or credit any over payment of such fee(s) to Deposit Account No. 50-0308.

Please accord this application a serial number and filing date and record and return the Assignment to the undersigned.

Respectfully submitted,

By:



Michael R. Cammarata

Reg. No. 39,491

CIENA Corporation
Legal Department
1201 Winterson Rd.
Linthicum, MD 21090
Tel.: (410) 865-8500
Fax: (410) 865-8001